

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re:

Case No: 10-03435 SEK

ALFREDO SALDAÑA AYALA

Chapter 13

Debtor(s)

MOTION TO INFORM
POST CONFIRMATION MODIFICATION PLAN UNDER §1329

TO THE HONORABLE COURT:

NOW COMES the debtor, through the undersigned attorney, and very respectfully alleges and prays:

1. That today the debtor is filing an amended chapter 13 repayment plan.
2. Debtors business sales were not going well and unfortunately he incur in arrears with the plan and mortgage payments.
3. That the reason for amendment is to adjust debtors payment schedule and increase the base of the plan to pay mortgage post petition payments and trustees arrears through the plan.

WHEREFORE, it is respectfully requests this Honorable Court to take notice of the aforementioned.

RESPECTFULLY SUBMITTED.

I HEREBY CERTIFY that a true and exact copy of the foregoing motion has been filed electronically with the Clerk of the Court using CM/ECF systems which will send notification of such to the Chapter 13 Trustee, and we sent copy of this document through regular mal to debtor (s) and all non CM/ECF participants interested parties to their addresses listed on the master address list.

In San Juan, Puerto Rico this 1st day of November of 2010.

JPC LAW OFFICE

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By: /s/ Jose M Prieto Carballo, Esq.

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 10-03435-13

SALDANA AYALA, ALFREDO

Debtor(s)

Chapter 13

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ ☒ AMENDED PLAN DATED: 11/1/2010
☐ PRE ☐ POST-CONFIRMATION Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 250.00 x 1 = \$ 250.00
\$ 0.00 x 3 = \$ 0.00
\$ 400.00 x 56 = \$ 22,400.00
\$ x = \$
\$ x = \$

TOTAL: \$ 22,650.00

Additional Payments:

\$ to be paid as a LUMP SUM
within with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

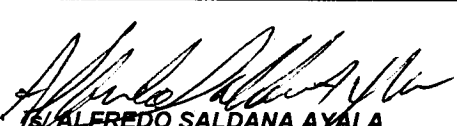
Periodic Payments to be made other than, and in
addition to the above:

\$ x = \$

PROPOSED BASE: \$ 22,650.00

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ 2,524.00 + \$350.00

Signed: 
ALFREDO SALDANA AYALA
Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. Coop De A/c Roosevelt	Cr. Coop De A/c Roosevelt	Cr. See Attached
# 20001104112282001	# 20001104112282001	#
\$ 1,423.00	\$ 1,800.00	\$

2. ☐ Trustee pays IN FULL Secured Claims:

Cr.	Cr.	Cr.
#	#	#
\$	\$	\$

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr.	Cr.	Cr.
#	#	#
\$	\$	\$

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

Coop De A/c Roosevelt Eurobank

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other:

Cr.	Cr.	Cr.
#	#	#
\$	\$	\$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

FAILURE TO TIMELY OBJECT TO THIS PLAN BY A CREDITOR CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT 11 USC 1325 (a)(5).

ATTORNEY'S FEES WILL BE PAID AHEAD OF SECURED CREDITORS PER 11 USC 330.

TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS PERIODIC PAYMENTS TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS ALREADY PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT FROM THE COURT FOR SUCH PURPOSE.

DEBTOR WILL ASSUME COMERCIAL LEASE WITH LOYDA SOTO

Attorney for Debtor Jose Prieto

Phone: (787) 607-2066

IN RE SALDANA AYALA, ALFREDO

Case No. 10-03435-13

Debtor(s)

CHAPTER 13 PAYMENT PLAN
Continuation Sheet - Page 1 of 1

	Cr	#	\$
Trustee pays secured ARREARS:	Eurobank	2564010908	10,250.00
	Eurobank	2564010908	3,000.00
Executory Contracts - Assumed:	LOYDA SOT		

Label Matrix for local noticing
0104-3
Case 10-03435-SEK13
District of Puerto Rico
Old San Juan
Wed Sep 22 13:55:33 AST 2010

GE MONEY BANK (SAMS CLUB)
C/O RECOVERY MANAGEMENT SYSTEMS CORP
25 SE 2ND AVE SUITE 1120
MIAMI, FL 33131-1605

BANCO POPULAR DE PUERTO RICO
BANKRUPTCY DEPARTMENT
PO BOX 366818
SAN JUAN PR 00936-6818

BPPR
P O BOX 366818
SAN JUAN, PR 00936-6818

Coop De A/c Roosevelt
Po Box 31
Fajardo, PR 00738-0031

Fia Card Services, NA As Successor In Intere
Bank of America NA and Mbn America Bank
1000 Samoset Drive
DE5-023-03-03
Newark, DE 19713-6000

ORIENTAL BANK & TRUST (Eurobank)
P.O BOX 192099
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RG PREMIER BANK OF PR now part of Scotiabank
ISMAEL H. HERRERO III
P O BOX 362159
SAN JUAN PR 00936-2159

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ATLANTA, GA 30353-0942

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Po Box 17054
Wilmington, DE 19850-7054

Department of Treasury
Bankruptcy Section (Suite 1504)
235 Ave. Arterial Hostos
San Juan Puerto Rico 00918-1451

ISLAND FINANCE
P O BOX 71504
SAN JUAN, PR 00936-8604

PRA Receivables Management, LLC
As Agent Of Portfolio Recovery Assocs.
PO Box 12914
NORFOLK VA 23541-0914

Recovery Management Systems Corporation
For GE Money Bank
dba SAM'S CLUB DISCOVER
25 SE 2nd Ave Ste 1120
Miami FL 33131-1605

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2001 Western Ave., Ste. 400
Seattle, WA 98121-3132

US Bankruptcy Court District of P.R.
U.S. Post Office and Courthouse Building
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

BANK OF AMERICA
P O BOX 15019
WILMINGTON, DE 19886-5019

CMPR, INC
726 EXCHANGE STREET SUITE 700
BUFFALO, NY 14210-1464

Eurobank
Ponce De Leon
Hato Rey, PR 00921

LOYDA SOT
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CARR #3 KM 53.3
CEIBA, PR 00735

Portfolio Recvry And Affil
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Rg Premier Bank
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Bypassed recipients	1
Total	32

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